

Application No. 10/804,211  
Amendment Dated January 18, 2006  
Reply to Office Action of October 18, 2005

**REMARKS/ARGUMENTS:**

Claims 1 – 27 are pending in the application, with claims 1, 14 and 26 being independent.

Applicants have carefully considered the contents of the Office Action and respectfully request reconsideration and reexamination of the subject application in view of the explanations noted below.

**Claim Rejections under 35 U.S.C. § 103(a)**

Claims 1 – 5, 7 - 8 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,848,813 to Patz et al. (the Patz '813 patent) in view of U.S. Patent No. 6,047,936 to Favotto et al. (the Favotto '936 patent).

Applicants respectfully traverse this rejection, since the Patz '813 patent in view of the Favotto '936 patent clearly does not disclose, teach or render obvious the subject matter of independent claim 1.

Independent claim 1 recites, inter alia, a connector received in an aperture of the luminaire housing and a first fastener hole in the luminaire housing adapted to receive a first fastener to secure the luminaire housing to a support.

The Patz '813 patent discloses a mounting system 11 for a light fixture 10, as shown in FIG. 1. The mounting system 11 has a cover plate 14 and an arm 15 extending *between* the cover plate and the light socket 12. A latch bar 31 is connected to the cover plate 14 by posts 35, which extend through post holes 17, as shown in FIGS. 1 - 3. The latch bar 31 is received by catches 25 extending outwardly from a mounting plate 21 connected to a junction box JB. However, the Patz '813 patent does not disclose a connector received in the aperture of the luminaire housing or a first fastener hole in the luminaire housing adapted to receive a first fastener to secure the luminaire housing to a support.

The Favotto '936 patent is cited for disclosing a connector and an L-shaped bracket, as shown in FIG. 3. However, this does not cure the deficiencies noted above.

As recited in independent claim 1, the Patz '813 patent fails to disclose a connector received in an aperture of the luminaire housing. As clearly shown in FIGS. 1 - 3, the arm 15 of the Patz '813 patent extends *between* the cover plate 14 and the light socket 12. The arm

15 is not received *in* an aperture in the cover plate 14. FIG. 2 clearly shows the arm 15 connected to an outer surface of the cover plate 14. Furthermore, it would not be obvious to dispose the arm 15 in an aperture of the cover plate 14 as it would interfere with movement of the latch bar 31 along the posts 35. Therefore, the Patz '813 patent in view of the Favotto '936 patent does not disclose a connector *in* an aperture of the luminaire housing.

Furthermore, the posts 35 of the Patz '813 patent received in the first fastener hole in the cover plate 14 do not secure the luminaire housing to a support. Instead, the posts 35 are received by a latch bar 31, which is movable along the posts, as shown in FIGS. 1 – 3. The latch bar 31 is, in turn, received by catches 25 extending outwardly from a mounting plate 21. The mounting plate is, in turn, secured by screws 23 to a junction box JB. The posts 35 are not secured to the mounting plate 21 and are not secured to the junction box JB, as clearly shown in FIGS. 2 and 3. Furthermore, the Patz '813 patent cannot be modified such that the posts 35 are received by the support because to do so would impede movement of the latch bar 31 along the posts, thereby defeating an objective of the Patz '813 patent. Thus, the Patz '813 patent in view of the Favotto '936 patent also fails to disclose or suggest a first fastener hole in the luminaire housing adapted to receive a first fastener to secure the luminaire housing to a support, as recited in independent claim 1.

Therefore, the Patz '813 patent in view of the Favotto '936 patent does not anticipate or render obvious independent claim 1.

Claims 2 – 13, being dependent upon independent claim 1, are also allowable for the above reasons. Moreover, these dependent claims recite additional features further distinguishing them over the cited patents, such as an L-shaped bracket having a first opening in a first leg and a second opening in a second leg of claim 3; the bracket being made of steel having a modulus of elasticity of approximately 29 million psi of claim 6; the luminaire housing being made of a fragile material of claim 8; a spacer being positioned between the luminaire housing and the support, the spacer having a second fastener hole aligned with the first fastener hole in the luminaire housing and the second opening in the bracket and adapted to receive the first fastener of claim 11; and the spacer being non-metallic of claim 12. Therefore, dependent claims 2 – 13 are not anticipated or rendered obvious by the cited patents, particularly within the overall claimed combination.

Claims 26 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,116,556 to Roth (the Roth '556 patent).

Applicants respectfully traverse this rejection, since the Roth '556 patent clearly does not disclose, teach or render obvious the subject matter of independent claim 26.

Independent claim 26 recites, inter alia, transferring mechanical loads and stresses imparted by a conduit through the bracket and into the support to prevent damage to the luminaire housing.

The Roth '556 patent discloses a bracket 9 adapted to receive two lights or other accessories with mounting extensions 12. A sleeve assembly 10 is connected to the bracket and is adapted to receive a pole 1, as shown in FIGS 1 and 9. The mounting bracket 9 "may be formed of wood, fiberglass, and the like, where such materials are capable of withstanding the mechanical stresses applied to the attached accessories by natural forces, and the natural tendency of materials to weaken under weathering. Thus, the Roth '556 patent has a bracket that is meant to *receive* and withstand mechanical stresses applied to it from attached accessories, rather than *transferring* mechanical loads and stresses from an electrical conduit through the bracket to a support to prevent damaging the luminaire housing. Furthermore, there is no luminaire housing disclosed in the Roth '556 patent, unless it is assumed to be connected to one of the mounting extensions 12. In that case, the bracket 12 withstands mechanical stresses applied to the luminaire housing and passed through the mounting extension 12 to the bracket 9. This situation is exactly what the bracket of claim 26 is intended to prevent, i.e., mechanical stresses being applied to the luminaire housing. Thus, the Roth '556 patent does not disclose or suggest transferring mechanical loads and stresses imparted by a rigid electrical conduit through the bracket and into the support to prevent damaging the luminaire housing.

Therefore, the Roth '556 patent does not anticipate or render obvious independent claim 26.

Claim 27, being dependent upon independent claim 26, is also allowable for the above reasons. Moreover, this dependent claim recites additional features further distinguishing it over the cited patent, such as spacing the luminaire housing from the structural support with a

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spacer block of claim 27. Therefore, dependent claim 27 is not anticipated or rendered obvious by the cited patents, particularly within the overall claimed combination.

**Allowable Subject Matter**

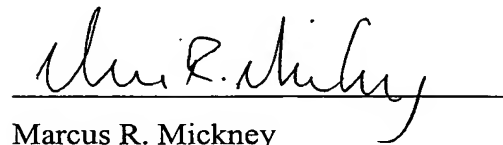
Applicants appreciate the allowed subject matter of claims 14 – 25.

Applicants also appreciate the indicated allowability of objected to claims 6, 9, 11 – 13 and 27, which would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

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In view of the foregoing amendments and comments, Applicant respectfully submits that claims 1 – 27 are in condition for allowance. Prompt and favorable action is solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Marcus R. Mickney", is written over a horizontal line.

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Dated: January 18, 2006